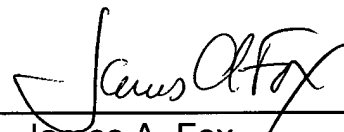


REMARKS

Applicants believe the pending claims define patentable subject matter and respectfully request consideration and an early allowance thereof. Applicants also wish to bring to the attention of the Examiner that claims 48 and 49 are essentially the same as claims 1 and 21 found in US Patent 6,022,362. The '362 patent has a filing date after the filing date of the provisional application upon which the present application relies upon for priority as well as the filing date of the present application.

Attached hereto is a marked-up version of the changes made to the claims by the Preliminary Amendment. The attached page is captioned **"Marked-Up Copy of Amended Claims"**.

Respectfully submitted,

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MARKED UP COPY OF AMENDED CLAIMS

30. (Amended) A method for retrieving a tissue specimen from a patient's body, comprising the steps of:

inserting an instrument having a distal end, a longitudinal axis, and an axially disposed cutting element into the patient's body, so that the distal end is disposed in a tissue region from which the tissue specimen is to be taken;

radially extending said cutting element so that a portion thereof is radially outwardly spaced from the axis of said instrument;

rotating said cutting element about said axis to cut said tissue and create a peripheral boundary about said tissue specimen, to isolate the tissue specimen from surrounding tissue in the tissue region; and

[The method as recited in Claim 29, and further comprising the step of] encapsulating said tissue specimen.

31. (Amended) The method as recited in Claim 30, wherein the encapsulating [step] of the tissue specimen includes [the step of] radially expanding at least one encapsulating element so that a portion thereof is radially outwardly spaced from the axis of said instrument and rotating said instrument about its axis so that said at least one encapsulating element encloses said tissue specimen.

33. (Amended) The method as recited in Claim 30, and further comprising [the step of] proximally withdrawing said instrument, with the encapsulated tissue specimen, from the patient's body, [said step] and including [the step of] cutting tissue as the instrument is withdrawn.